

REMARKS:

In the Office Action dated June 27, 2007, claims 1-21 and 32-38, in the above-identified U.S. patent application were rejected. Reconsideration of the rejections is respectfully requested in view of the above amendments and the following remarks. Claims 1, 3-9, 11-16, 20, 32-36 and 38 remain in this application, claims 2, 10, 17-19, 21 and 37 have been canceled, claims 22-31 have been withdrawn and new claims 39-41 have been added to the application.

The office action requests certified copies of the foreign priority documents EPO 02015532.1 and EPO 02018906.4. Certified copies of these documents will be submitted shortly.

Claims 1 and 38 were objected to. These claims have been amended as suggested in the office action. In view of these amendments, applicants request that this rejection be withdrawn.

Claims 1, 14, and 20-21 were rejected under 35 USC §112, second paragraph, due to the language "substantially" and "said association." Claim 21 has been canceled and claims 1 and 20 amended to delete the term "substantially". Regarding claim 14, this claim has been amended to clarify that the RNA molecule is associated with biodegradable polymers or microparticles via a covalent coupling. In view of these amendments, applicants request that this rejection be withdrawn.

Claims 1-8, 10-21 and 32-38 were rejected under 35 USC §112, first paragraph, as lacking enablement for in vivo therapeutic applications. Applicants respectfully disagree with this rejection. However, in order to advance the prosecution of the application, the

claims have been amended to recite in vitro uses. In view of these amendments, applicants request that this rejection be withdrawn.

Claims 1-3, 6, 9-10 and 38 were rejected under 35 USC §102(a) and (b) as anticipated by Tijsterman. The present claims recite in vitro uses in mammalian cells. Tijsterman discloses posttranscriptional gene silencing in *Caenorhabditis elegans*. Tijsterman does not disclose a method for inhibiting the expression of a target transcript in vitro in mammalian cells. In view of this, applicants request that this rejection be withdrawn.

Claims 1-4, 6, 9-10 and 38 were rejected under 35 USC §102(a) as anticipated by Martinez. Martinez was published on September 6, 2002 and thus is after the priority date of the present application. In view of the certified translations of the priority documents, applicants request that this rejection be withdrawn.

Claims 1, 3-12, 16-21 and 38 were rejected under 35 USC §102(b) as anticipated by Schmitz. The present claims recite that the expression is inhibited by RNA-interference. Since Schmitz does not disclose a method for inhibiting the expression of a target transcript by RNA interference, applicants contend that the present application is not anticipated by Schmitz and request that this rejection be withdrawn.

Claims 1-13, 16-21, 33 and 37-38 were rejected under 35 USC §102(e) as anticipated by Zamore. Zamore was filed in August 2003 and thus is after the priority dates of the present application. In view of the certified translations of the priority documents, applicants request that this rejection be withdrawn.

Claims 1-16, 20, 32-36 and 38 were rejected under 35 USC §103(a) as unpatentable over Zamore in view of Ts'o. As discussed above, Zamore was filed in August 2003 and

thus is after the priority dates of the present application. Ts'o was cited for the disclosure of nucleic acid alkyl and aryl phosphonates. Ts'o does not disclose a method for inhibiting the expression of a target transcript using a single stranded RNA molecule. Since Zamore is not available as a reference, applicants contend that Ts'o alone is not sufficient to render the present claims obvious and request that this rejection be withdrawn.

Applicants respectfully submit that all of claims 1, 3-9, 11-16, 20, 32-36, and 38-41 are now in condition for allowance. If it is believed that the application is not in condition for allowance, it is respectfully requested that the undersigned attorney be contacted at the telephone number below.

In the event this paper is not considered to be timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fee for such an extension together with any additional fees that may be due with respect to this paper, may be charged to Counsel's Deposit Account No. 02-2135.

Respectfully submitted,

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